

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DEVELOPERS SURETY AND)	
INDEMNITY COMPANY,)	
)	
Plaintiff,)	4:07CV3148
)	
v.)	
)	
DISMAL RIVER CLUB, LLC,)	MEMORANDUM AND ORDER
)	
Defendant.)	
_____)	

This matter is before the court for determination of place of trial. Plaintiff has requested trial in Lincoln, Nebraska. Defendant has requested trial in North Platte.

Having reviewed the request and having given consideration to the convenience of the litigants, witnesses, and counsel, as required by NELR 40.1(a)(1)(D), the court finds that Lincoln, Nebraska, should be designated as place of trial.

IT THEREFORE HEREBY IS ORDERED,

Trial will be held in Lincoln, Nebraska, and the case calendared accordingly.

DATED this 28th day of August, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge